



PUBLIC NOTICE

Federal Communications Commission
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DA 04-4027
December 23, 2004

FCC's AMENDED SAFE HARBOR FOR THE NATIONAL DO-NOT-CALL REGISTRY APPROVED BY OMB

CG Docket No. 02-278

The Office of Management and Budget (OMB) has approved for three years the information collections associated with the amended safe harbor for the national do-not-call registry as adopted in the Commission's Order, *Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991*, CG Docket No. 02-278, FCC 04-204 (rel. September 21, 2004). The Order amended the existing safe harbor rules for telemarketers subject to the national do-not-call registry to require them to access the do-not-call list no more than 31 days prior to making any telemarketing call. Consistent with the recent decision of the Federal Trade Commission (FTC), the FCC's rule change reduces from three months to 31 days the maximum period in which telemarketers must update their call lists using the national do-not-call list in order to qualify for the safe harbor protections. A summary of the Order was published in the *Federal Register* at 69 FR 60311 (October 8, 2004). The information collections contained in section 64.1200(c)(2)(i)(D) were approved by OMB on December 21, 2004. OMB Control No. 3060-0519. As stated in the Order, the Commission's amended rule at 64.1200(c)(2)(i)(D) will become effective on January 1, 2005.

For further information, contact Erica H. McMahon, Consumer Policy Division, Consumer & Governmental Affairs Bureau, at (202) 418-2512.

FCC NOTICE REQUIRED BY THE PAPERWORK REDUCTION ACT

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), the FCC is notifying the public that it received approval for three years from OMB on December 21, 2004 for the collection(s) of information contained in the Commission's amended telemarketing rule at 47 C.F.R. section 64.1200(c)(2)(i)(D). Due to the modification to 47 C.F.R. section 64.1200(c)(2)(i)(D), the revised annual reporting burden for this collection(s) of information, including the time for gathering and maintaining the collection of information, is estimated to be: 144,497 responses, a total hour burden of 1,851,600 hours, and \$4,361,000 in total annual costs.

If you have any comments on these burden estimates, or how we can improve the collection(s) and reduce the burden(s) they cause you, please write to Les Smith, Federal Communications Commission, Room 1-A804, 445 12th Street, SW, Washington, DC 20554. Please include the OMB Control Number, 3060-0519, in your correspondence. We will also accept your comments regarding the Paperwork Reduction Act aspects of the collections via the Internet, if you send them to Leslie.Smith@fcc.gov or call (202) 418-0217.

Under 5 C.F.R. Section 1320, an agency may not conduct or sponsor a collection of information unless it displays a current valid OMB Control Number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid OMB Control Number. The OMB Control Number is 3060-0519.

**THE FOREGOING NOTICE IS REQUIRED BY THE PAPERWORK REDUCTION ACT OF 1995,
PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.**

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